

R E

CONSTABLE KEAYS

R E P O R T

MACKAY, J.





REPORT ON THE CHARGES MADE BY PROVINCIAL CONSTABLE J. E. KEAYS IN A DOCUMENT OF RESIGNATION ADDRESSED TO THE COMMISSIONER, ONTARIO PROVINCIAL POLICE, TORONTO, ONTARIO, AND DATED AT BELLEVILLE, OCTOBER 30th, 1948.
THIS DOCUMENT OF RESIGNATION BEARS ON ITS FACE THE FOLLOWING ANNOTATION: "COPY FOR THE ATTENTION OF THE HONOURABLE LESLIE BLACKWELL, ATTORNEY-GENERAL FOR ONTARIO".

TO THE HONOURABLE RAY LAWSON, O.B.E., LL.D.,
LIEUTENANT-GOVERNOR OF THE PROVINCE OF ONTARIO,
QUEEN'S PARK, TORONTO.

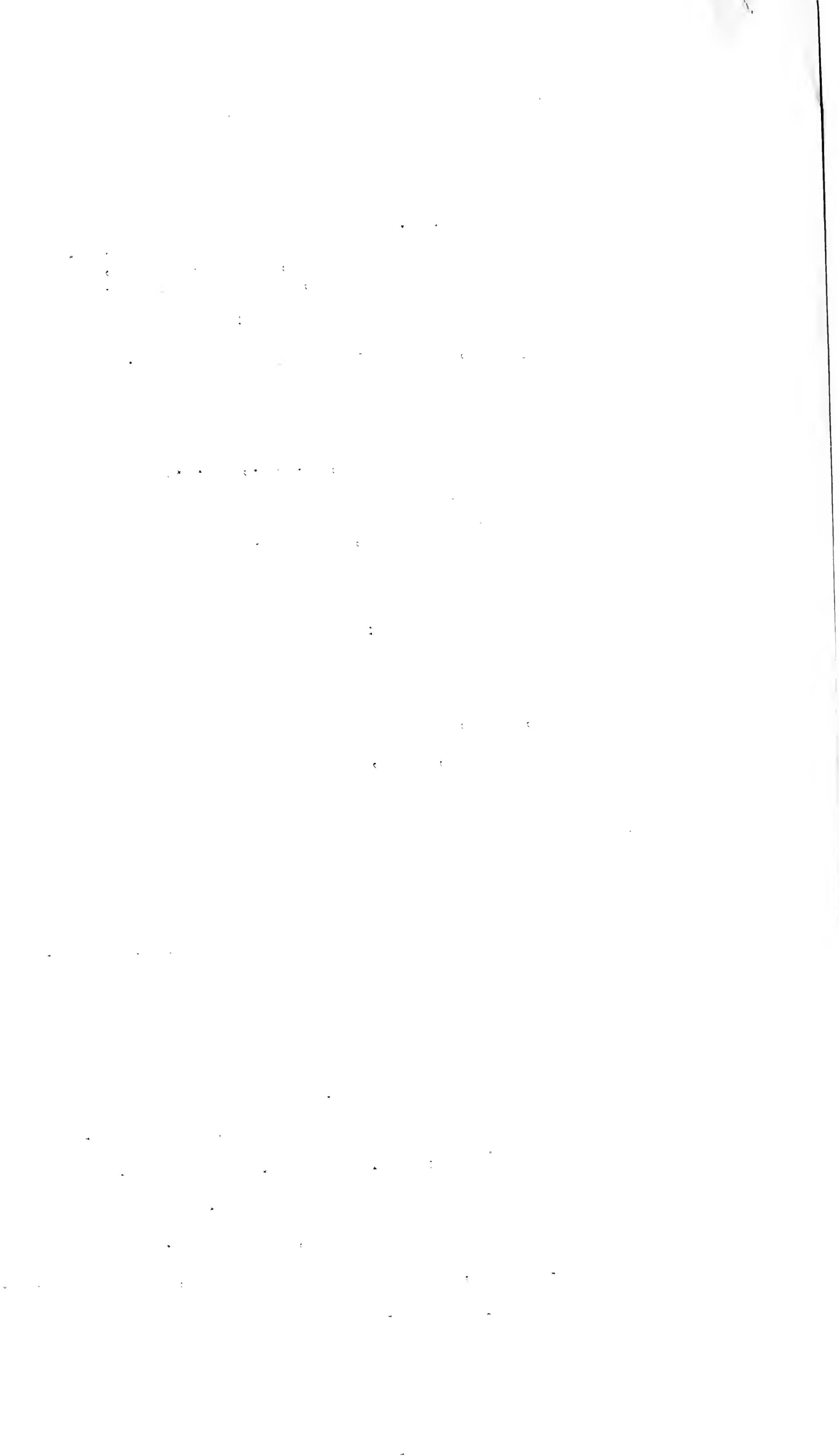
MAY IT PLEASE YOUR HONOUR:

A Royal Commission was issued under date of January 6th, 1949, pursuant to Chapter 19 of the Revised Statutes of Ontario, 1937, entitled "The Public Inquiries Act", wherein the undersigned was appointed Commissioner and directed,

"to inquire into and report upon any charge or complaint made against any police officer or public official in a report made by Provincial Constable J. E. Keays".

As your Commissioner I have the honour to report that I have made the inquiry as directed, and in that respect submit to Your Honour the evidence adduced before me, and my report and conclusions thereon.

I have had the assistance of Mr. Clarence P. Hope, K.C., as Commission Counsel; Mr. Bryson C. Donnan, K.C. appeared personally for and on his own behalf; Mr. Malcolm Robb as counsel for Inspector Arthur Page, Sergeant A. J. Stringer, Corporal S. Ervine, Constable James Driscoll, Constable G. R. Purdy and Miss M. Dowdell.





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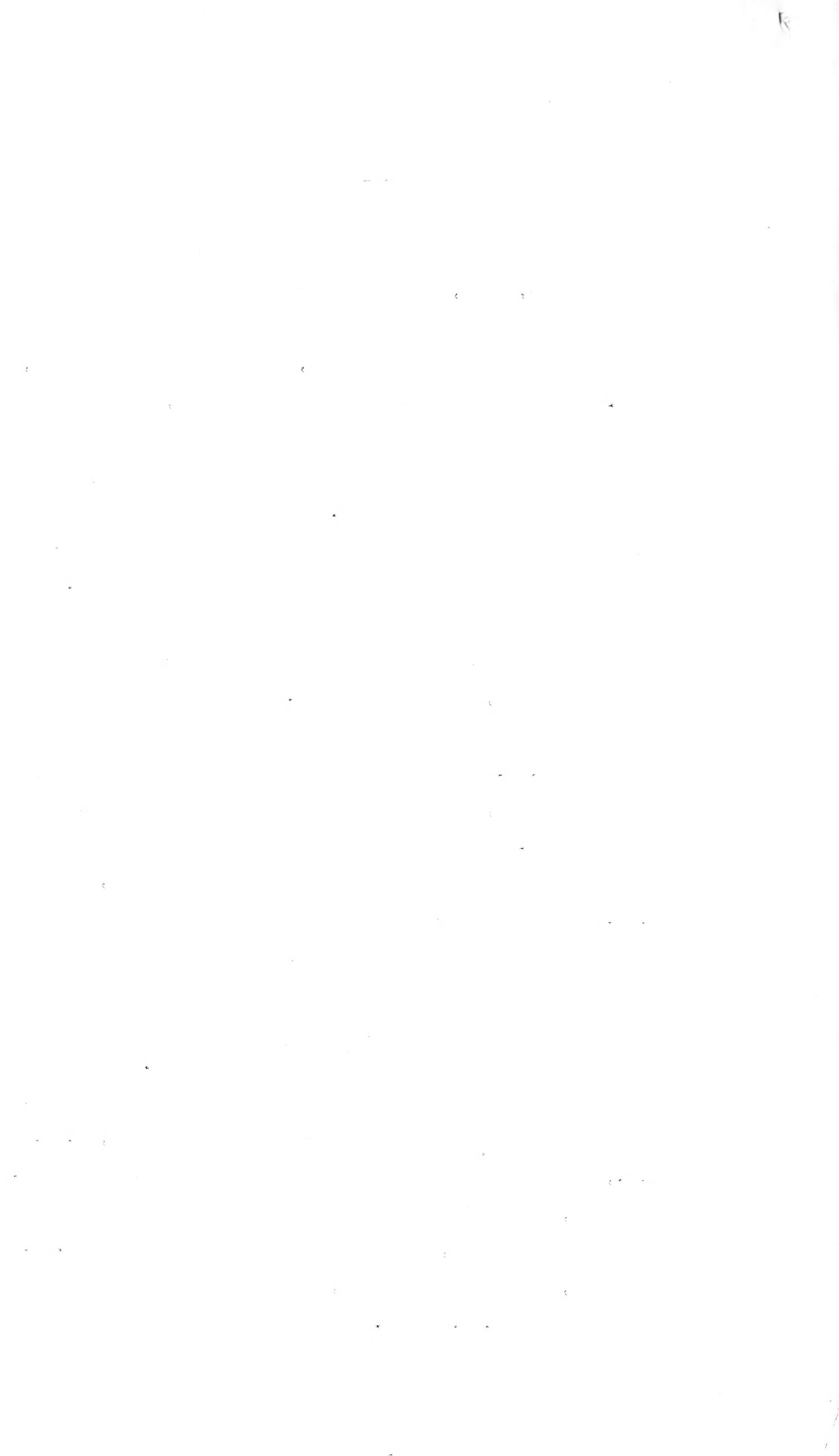
The Commission opened and commenced hearings on February 7th, 1949, and after various adjournments made necessary to allow your Commissioner to preside at Courts in accordance with Circuit lists, concluded on April 11th, 1949. The hearings occupied twenty-six days, and so far as I am aware everyone who it was thought might be able to throw light on the subjects relative to the inquiry, were subpoenaed and gave testimony. I feel confident that all available documents in any way material to the subject-matter of the inquiry were produced and made exhibits.

The transcription of a verbatim shorthand record of the oral evidence extended to 4832 pages - a million and a quarter words, and 204 exhibits.

At the conclusion of the evidence all counsel and Constable J. E. Keays agreed to submit written arguments, which arguments, in due course, were received by your Commissioner.

On or about the 30th day of October, 1948, Constable J. E. Keays tendered his resignation to the Commissioner of the Ontario Provincial Police at Toronto in a written document of seventeen pages and embodied therein allegations, serious and searching in character, against certain public officials and police officers specifically named therein.

These allegations or charges made by Constable J. E. Keays were against the Attorney-General of Ontario, B. C. Donnan, K.C., Crown Attorney for the County of Hastings, William H. Stringer, Commissioner of the Provincial Police of the Province of Ontario, Inspector Arthur Page, Sergeant A. J. Stringer, Corporal Sam Ervine, Constable James Driscoll and Constable G. R. Purdy.





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against or referable to the Honourable the Attorney-General of Ontario, was that he, the Attorney-General, made threats to the effect that if Constable Keays could not substantiate his charges of misconduct against senior and other officials and members of the Ontario Provincial Police Force, he, Constable Keays, would be dismissed from the Service.

I find that no threats were made or intended. The Attorney-General did place himself on record to the effect that if Constable J. E. Keays failed to establish the formal charges which he made he, the Attorney-General, would have no alternative but to revoke his appointment as a member of the Ontario Provincial Police. Clearly, under the then prevailing circumstances, this was the only action open to the Attorney-General in the proper execution of his duty.

Concerning Bryson C. Donnan, K.C., Crown Attorney
for the County of Hastings.

The charges against Crown Attorney Donnan fall under three headings:

- (1) General fraud on the public arising out of the Crown Attorney's activities as solicitor for one Ernest M. Carefoot.
- (2) Interference by the said Crown Attorney in almost every case investigated by Constable J. E. Keays.
- (3) Crown Attorney Donnan was a confirmed drunkard, and was intoxicated during the trial of one Turner, on a criminal charge.

With respect to No. 1, I find as a fact that Crown Attorney Donnan was instrumental in sending some people, including members of his own family, to be treated by Carefoot, well-knowing that Carefoot did not have a licence to practise

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medicine in the Province of Ontario. (There is no evidence to the effect that Carefoot was practising medicine, if he did so practise, for gain).

In these premises I am of opinion that the action of Crown Attorney Donnan was imprudent and unfortunate, but under the circumstances not seriously open to censure. Pursuant to the terms of employment under which the Crown Attorney for Hastings County is engaged, he, the Crown Attorney, may, in addition to his Crown duties, carry on practice in all fields of legal endeavour other than criminal law. On this bases B. C. Donnan, K.C., as senior partner in the law firm of Donnan & Butler, incorporated a company for the said Ernest M. Carefoot known as Belleville Aqua Vitae Company Limited. He, B. C. Donnan, or his firm, received in payment therefor five thousand shares of this company. Not one share of this stock was at any time sold to the public. This stock was and is worthless. The product Aqua Vitae was sold to the public for twenty-five cents a gallon and finally at one dollar a gallon. The venture was unsuccessful and after a short period of operation, experimental in character, the product failed to commend itself to the public and thereafter operations were discontinued.

The evidence reveals no wrong-doing on the part of the firm of which B. C. Donnan, K.C., was a member, in its legal services to this limited company. If a fraud were perpetrated or attempted on the public, there is no evidence which connects B. C. Donnan, K.C. therewith.

With respect to charge No. 2, namely, that the Crown Attorney interfered in almost every case investigated by Constable J. E. Keays, there is no basis in evidence accepted by your Commissioner for this allegation. My finding is that the charges under this heading have no foundation in fact and remain wholly unsupported.





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The text of the resignation of Constable Keays containing such allegations or charges, was filed as Exhibit 1 in the course of the inquiry, and appears as Appendix "A" to this my report.

Constable J. E. Soubliere was appointed a Police Constable of the Ontario Provincial Police on August 1st, 1937 and was posted to Perth District Headquarters on August 3rd, 1937. On June 15th, 1938 this constable was transferred to Alexandria and on August 1st, 1939 to Ottawa. On July 1st, 1940 he was transferred to Rockland and on the 1st of February, 1943, he was transferred to Perth District Headquarters to take charge of liquor squad in that district (No. 9). On March 25th, 1943, Constable Soubliere was re-assigned to general duty at Perth District Headquarters No. 9. On March 20th, 1944 this constable was transferred from Perth District Headquarters to Belleville District Headquarters and on the 15th of January, 1948, at his own request, he was transferred from Belleville to Niagara Falls District Headquarters. On April 15th, 1948, he, Constable Soubliere, was re-transferred to Belleville, this last transfer being as a result of a medical examination and recommendation of the Ontario Department of Health. On June 25th, 1945, Constable John Ernie Soubliere changed his name (under the provisions of "The Change of Name Act") to John Ernest Keays.

SPECIFIC ALLEGATIONS

The only allegation made by Constable J. E. Keays





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With respect to charge No. 3, namely, that Crown Attorney Donnan is a confirmed drunkard and was intoxicated during the trial of one Ralph Turner on a criminal charge, I incorporate the evidence of Constable J. E. Keays (page 463 of the transcript) which is as follows:-

"During this trial (Rex v. Ralph Turner) the Crown Attorney was in an intoxicated condition. There were six or seven witnesses of the ages between 12 and 14 that were left at the mercy of defence counsel without the Crown being present in Court but out in the hall having his libations."

Arthur Harman, for thirty-five years a police officer in Belleville, who, in 1946, retired with the rank of Deputy Chief, testified as follows:- (page 4026 of the transcription).

"Q. You were familiar with the Crown Attorney?

A. Oh, yes.

Q. You have known him for some time?

A. Yes, I knew the one before him and the one before him.

Q. Now, with reference to Mr. Donnan, is it common knowledge to you, or do you know whether Mr. Donnan even appears in court in an intoxicated condition?

A. Oh, yes.

Q. Pardon?

A. Oh, yes, oh, yes.

Q. Is that a common occurrence, to your knowledge?

A. Oh, yes.

Q. Pardon?

A. It occurred occasionally."

The evidence of W. S. Lane, Judge of the County Court for the County of Prince Edward, who testified in this connection, is as follows:- (page 2832 of the transcription).



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"Q. Judge Lane, I believe that you stated that you have presided over the Sessions in Belleville in 1946?

A. With the exception of two trials which were presided over by Judge Reynolds.

Q. And the indictments were presented by the Crown Attorney of Hastings County, Mr. Donnan?

A. Yes.

Q. And consisted of several charges of gross indecency?

A. Against Mr. Turner.

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Q. It has been alleged by Constable Keays that during the course of these trials the Crown Attorney was intoxicated in court. What do you say about that?

A. I can say ----

MR. KEAYS: To be fair, Mr. Commissioner, the Crown Attorney went out on his libations.

THE WITNESS: The Crown Attorney, in my opinion, was not intoxicated at any time during these trials. If he had been, I would have asked him to remove himself.

Q. I would expect that because it is known that you do not drink?

A. That is right."

I must decline to accept as absolute, evidence such as that of Arthur Harman which presents conclusions (rather than facts from which certain conclusions may follow) especially when such conclusions may be based on shadowy inference or unsubstantial conjecture, moreover, when such evidence is in direct conflict with that of the Judge who presided at the trial of the criminal action (Rex v. Ralph Turner) which action was the basis of the charge of Constable J. E. Keays.





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Concerning the Commissioner of Provincial Police

William Holebrook Stringer:

In paragraph 55 of Exhibit 1, Constable J. E. Keays charges in unequivocal language that W. H. Stringer, Commissioner of Provincial Police, made false representations against him to the Attorney-General of Ontario, and that the Commissioner suppressed evidence referable to the Constable H. H. Dent murder case.

In 1938, before W. H. Stringer was made Commissioner, one W. J. Major, President of the Glengarry Liberal Association, complained to Major-General Victor Williams, the then Commissioner, that Constable Soubliere was not properly carrying out his duties in the vicinity of Alexandria where he, Soubliere, was then stationed. An investigation was ordered before Thomas William Cousans, Inspector of the district in which Soubliere was operating. Inspector Cousans' finding was that the complaints were not of a substantial character and largely without foundation in fact.

On December 3rd, 1938, Mr. E. A. McGillivray, Liberal Member of the Provincial Parliament for the County of Glengarry, wrote to the Attorney-General for Ontario (The Honourable Gordon D. Conant, K.C.) concerning Constable Soubliere. This letter, Exhibit 188, is as follows:-

"Dear Mr. Conant:

This will reply to your letter of December 1st, with Inspector Cousan's report attached.

It is the most natural thing in the world that Constable Soubliere's superior should hasten to his defense and he is to be commended for doing so.

Now let us endeavour to get away from the legal aspect of this case and discuss it from a common horse-sense angle. In passing, permit me to make this cursory observation: if there was more of this unexcelled quality of common horse-sense permeating the Ontario Police Force it is altogether probable



"we wouldn't be having this difficulty now.

Mr. Major living on a farm in a remote corner of the County, seldom comes in contact with the outside world; has knowledge of the facts of this case which starts and ends at his mail box. I am familiar with only one of Mr. Major's complaints that of Mr. D. J. McDonald's, Grocer. Mr. McDonald who is a sick man was so rattled when he found himself in the clutches of the law that he became panicky and pleaded guilty. He hit a soft shoulder, ran off the road into the ditch where he turned over. There was no other car involved nor was anybody injured as in the case of Mr. Clarence McMillan, but no evidence of speed. A charge of reckless driving was laid against him, which, according to some of the officials of your department is unjust and the wrong interpretation of the Act. I did not discuss this particular case with any of them, but rather, all other cases in which no other cars were involved and no damage done a second party's property.

However, I was just trying to give you a clear explanation of what occurred to Mr. McDonald as I know it.

I am not going to enter into an argument or legal technicalities with you or any one employed in your department.

The truth of the matter is this; Constable Soubliere is an arrogant, swash-buckling police officer, one who always has law enforcement on parade, and never forgets to strut his authority and who thinks nothing of travelling on highways and through towns at an excessive rate of speed. He also has been known to frequently park his car on the wrong side of a street. I know this from personal knowledge.





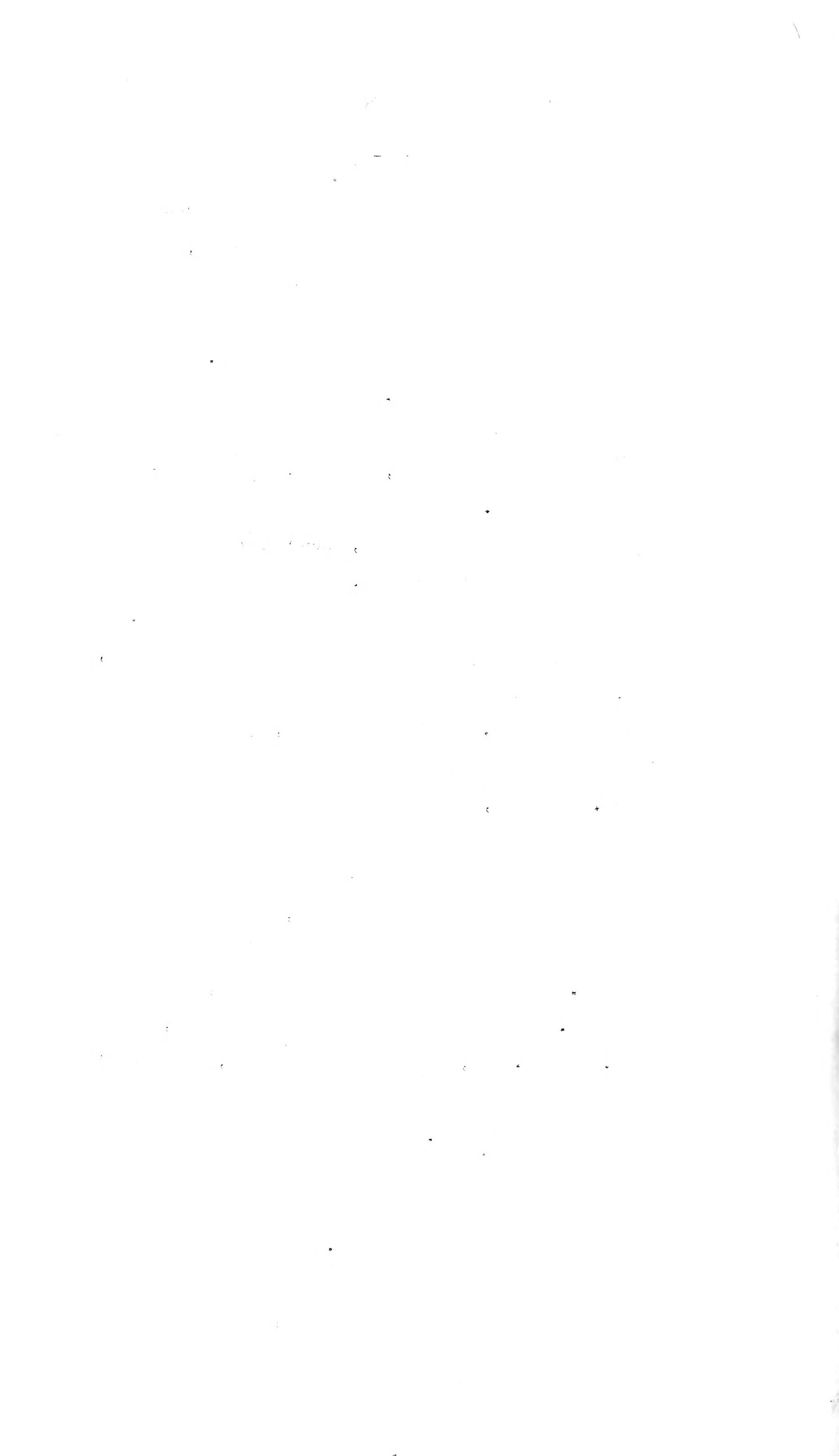
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" I wish to have it clearly understood and I am not personally prejudiced against this man, but rather, I have come to his defense on such numerous occasions and I have been so busy investigating complaints that there were times when I thought I was Mr. Conant or General Williams himself. Some of the complaints were entirely fabricated while others were only too correct; the one about the priest, however, was false - thank Heaven for that.

I have been criticised, scarified and chastised on this constable's account. He knows this because I have conveyed this information to him in person.

I repeat I bear Soubliere no malice or grudge, and, I only hope I say nothing which will smear his record as a man. Whatever happens, my worst wish for him is that he continues on the Ontario Provincial Police Force. However, the people have turned against him due to his reprehensible methods and he will never receive from them that extent of co-operation which is so essential for any officer of the Law to have, if he ever expects to have an infinite measure of success in the enforcement of the law. His effectiveness in Glengarry, from now on is null and void. He created this situation himself, not you or I Mr. Conant. So, in the light of this, Soubliere's removal from this particular zone is not only desirable but it is inevitable. He might make an excellent officer dealing with gangsters in a large city but his haughty methods are utterly foreign to the simple minds of plebeians from the hinterland.

I fought the citizens on this problem from the very first week Soubliere was here, until just a few short weeks ago when the last shred of my resistance was cut





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"from its moorings and caught up in the vortex of public indignation. I have done what I could for this man. I can do no more.

The Senior Executive of the Liberal Party wanted to send a resolution of protest to the Commissioner but I quashed it. The business men who maintain this Constable is driving trade to other centres, threaten to circulate a petition through the county in an effort to rid the district of him; I counselled against this. Prominent residents of the riding were prepared to take individual action - I persuaded them not to do so. But, now, I can hold them back no longer. You will be treating direct with public opinion, from this moment on, if you heed not my request. I am simply the voice of the people. So do you think in your wisdom, Mr. Conant, we should listen to this voice? Or should we turn a deaf ear to it?

Constable Soubliere's immediate predecessor was too fond of a soft time - this chap is over zealous - a "galloping Cossack". Is it not possible to have a middle-of-the-road-man? We desire law enforcement in Glengarry - yes, but, we feel certain the law can be enforced with courteous and human understanding, and I am sure we are right.

Thanking you for the time you have allotted to the reading of this manifesto, I am,

Yours truly,

(signed) E. A. MacGillivray

E. A. MACGILLIVRAY,

Member for the County of
Glengarry.

Doubtless this letter is not wholly without merit, but it cannot be characterized as exhibiting masterly understatement.



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On August 1st, 1940, William H. Stringer, Commissioner of Provincial Police, wrote to the District Inspector at Perth (Cousans) concerning Provincial Constable Soubliere, Exhibit 198, of which the following is an extract:-

"Provincial Constable J. E. Soubliere.

" It has been drawn to my attention that Provincial Constable Soubliere, now stationed at Rockland, is not using tact in his handling of the general public in that district.

It is fully appreciated that Constable Soubliere is an excellent officer and I would suggest that you contact him personally and bring his attention to the fact that an over-bearing attitude towards the public is not conducive to good criminal investigation and I think that if this attitude is corrected it would add considerably to Soubliere's success in investigations of criminal matters."

During 1942, Constable Soubliere wrote to Inspector Cousans asking to be transferred to the Criminal Investigation Branch at Toronto. This application, ^{without comment} was forwarded by Inspector Cousans to Commissioner of Provincial Police William H. Stringer. In January 1943, the then Attorney-General (Honourable G. D. Conant) ordered the formation of a liquor squad, and Constable Soubliere was chosen as a member of that squad. After attending a school of instruction for two weeks, which was held at the Parliament Buildings, Toronto, he, Soubliere, was posted to Perth and functioned out of that district headquarters covering the entire district. After the expiration of six weeks, as a result of complaints received by the Department of the Attorney-General, Constable Soubliere was taken off the liquor squad and reassigned to Perth. In the spring of 1944, Constable Soubliere was transferred to Belleville under Inspector Storey, where he appears to



have done useful work. During this period, no complaints concerning Constable Soubliere reached the Commissioner of Provincial Police.

In 1946, Constable J. E. Keays had a period of ill health and the Commissioner, after examining various medical reports and after a period of sick leave, concluded Keays was not able physically to stand the strain of duty in the Criminal Investigation Branch. During the year 1946, Staff Inspector Creasy, following an inspection of District No. 8 (Belleville), reported an interview with the Crown Attorney of and for the County of Hastings. This report, addressed to William H. Stringer, Commissioner of Provincial Police, was dated August 23rd, 1946, and paragraph 3 of this report, referable to an interview between Inspector F. P. Creasy and the Crown Attorney of and for the County of Hastings, is as follows:-

"All the Crown Attorneys were interviewed and they reported very favorably on the men in the District excepting Colonel B. C. Donnan, K.C. of Belleville.

His complaint was that Provincial Constable Keays, whilst an excellent investigator and an energetic officer, would appear to allow his enthusiasm to override his good judgment in many cases. He is one of the unfortunate type who does not seem to be able to get along with any other constables or apparently with the Crown Attorneys, and seems to undo all his excellent investigation work by causing trouble in the District between the men and himself and between the Crown Attorneys and himself. The Crown Attorney and the District Inspector both requested that the man be transferred out of the District as he was spoiling the esprit de corps of the Force in general. It is unfortunate that a man of his ability should be so lacking as to almost become a general nuisance in



the District."

In the autumn of 1947, the Commissioner of Provincial Police was advised by Sergeant Ervin F. Hartleib that Constable Keays reported interference by one Colonel Vandewater referable to a charge of drunk driving against one LeRoy Woods. The Commissioner of Provincial Police advised Sergeant Hartleib to advise Constable Keays that he would not tolerate interference by anybody in the carrying out of any investigation by a member of the Provincial Police Force, and to continue the investigation, submit all his reports to the Crown Attorney, in the usual manner, and to assist him if necessary in the handling of the case.

The Commissioner of Provincial Police, on returning to Toronto, instructed Inspector Everett T. Doyle to make a thorough investigation of this alleged interference. Paragraph 18 of the report of Staff Inspector E. T. Doyle is as follows:-

" I discussed the Woods matter with the County Crown Attorney Colonel Donnan and he advised me that it was true that Colonel Vanderwater did make representations on behalf of Leroy Woods for the reason that Colonel Vanderwater is interested in ex-service men and that this particular accused person is an ex-serviceman who is suffering from some sort of mental and physical disability. He also advised that the charge under Section 285 (4) Criminal Code, would be proceeded with and in his opinion there is sufficient evidence to convict. He said there was no political interference, that representations of this kind were common."

I find as a fact that the discussion between Colonel Vandewater and Crown Attorney Donnan referable to Rex v. LeRoy Woods



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has been by the charges of Constable J. E. Keays magnified and distorted to a degree totally unwarranted by the facts as adduced in evidence before me and quite without justification.

The investigation of Staff Inspector Doyle revealed the functioning of a detachment within district headquarters, which occasioned the issuance of a circular (Exhibit 157) by the Commissioner of Provincial Police directing a discontinuance of such internal organization.

This report dealt with several other matters which have come up in this investigation, including that of Constable Gerald Reid Purdy, a new member of the Force, who it appears was completely inexperienced and uninformed referable to the proper writing of a police report. The inescapable conclusion, from a careful reading of Exhibit 156, is to the effect that the organization and functioning of the Provincial Police in that district at that time was not one hundred per cent.

In December 1947, Constable J. E. Keays, through his District Inspector William Arthur Page, asked for a transfer to another district. The Commissioner of Provincial Police, anxious to help Keays, decided to send him to Niagara Falls under Inspector Christopher F. Airey, concerning whom Constable J. E. Keays spoke most highly. This transfer was to be effective on January 15th, 1948. On his arrival at Niagara Falls, Constable Keays drafted a memorandum, which he addressed to Staff Inspector Doyle, dealing with certain aspects of the LeRoy Woods case, to which further reference will hereinafter be made. In this memorandum Constable Keays, among other matters, charged that Corporal Sam Ervine and Constable Purdy had committed perjury. After perusal of this memorandum, the Commissioner of Provincial Police despatched Staff Inspector Moss to Niagara Falls to make a complete and thorough investigation. The circumstances were



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such that, after a searching investigation by Staff Inspector Moss, no action in the premises was indicated. In the course of a few days thereafter, Inspector Airey phoned Commissioner Stringer advising that Constable Keays appeared to be going out of his mind. He, Inspector Airey, advised the Commissioner of Provincial Police that Constable Keays was crying continuously and failed to give any reason for his distress. The Commissioner of Provincial Police instructed Constable Airey to treat Constable Keays with the utmost kindness and consideration, which instructions were duly and thoroughly carried out by Inspector Airey. Shortly thereafter, Inspector Airey reported to Commissioner Stringer suggesting that Constable Keays be transferred to Peterborough, in order to be near his family who were then living in Belleville. Commissioner Stringer communicated with Inspector McNeill of Peterborough, who indicated that he would not accept Constable Keays in his district under any consideration whatsoever. In these circumstances, Commissioner Stringer decided to have Constable Keays examined by the Department of Health in Toronto. On February 18th, 1948, this examination was made, and one Dr. A. W. Sturgeon reported for the Department of Health as follows:-

"MEMORANDUM TO:- Deputy Commissioner W. C. Killing,
Ontario Provincial Police.

Confirming our telephone conversation of this afternoon in respect of Constable J. E. Keays.

This man, in our opinion, should be granted leave-of-absence for a period of at least fourteen days. A posting at the end of this period is advised somewhere in the area in which his family is living and from where he has recently been removed.

"A. W. STURGEON"

A. W. Sturgeon, M.D.,
For Medical Director."



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In March 1948, Commissioner Stringer interviewed Constable Keays at Niagara Falls. He, Commissioner Stringer, approached this interview with the utmost kindness and consideration. Owing to the extreme difficulty Constable Keays experienced in getting accommodation, his subsistence allowance was continued indefinitely, and Constable Keays was urged to try to co-operate with the Inspector and the other Police Officers in the district, in a word, to start afresh. In April, Commissioner Stringer, pursuant to the recommendation of the medical officers retransferred Constable Keays to Belleville in order that he should be near his family. This transfer became effective on April 15th, 1948. A letter marked "confidential" written by the Commissioner of Provincial Police to the District Inspector, No. 8 District, Belleville, Ontario, referable to this transfer, (Exhibit 194) is as follows:-

"No. 549 Provincial Constable J. E. Keays

This is to advise you that Provincial Constable J. E. Keays of Niagara Falls District Headquarters is transferred to No. 9 District.

This move is to be made following medical instructions from the Department of Health that it is essential in Keays' best physical and mental interests to be transferred to a locality where his family at present resides.

It is quite obvious that Keays is unable to secure housing accommodation for his family, which is a large one, in another district and I feel there is no other place where we can post him if we are to carry out the Department of Health instructions.

The transfer will be effective as from 15th April 1948.

You will post Constable Keays in whatever detachment in your district which may be in close proximity to where





Keays lives. If it is your decision to retain him at District Headquarters you will point out to him that he is there to obey orders and not to give them. Previous investigations by the staff indicate that Keays had a habit of ordering other constables about and it should be obvious to you, your Sergeant, and Corporal that any orders dealing with the administration of the Force locally must emanate from yourself or, in your absence, from your Sergeant."

The District Inspector at Belleville strongly objected to this transfer. Some short time afterwards, the Commissioner of Police for Ontario received a letter from Inspector Page indicating that he, Page, intended to prohibit Constable Keays from driving automobiles, whereupon Commissioner Stringer ordered a correction to the effect that Constable Keays should be treated the same as any other constable and should not be put under such prohibition at all. Finally, after conferences with Inspector Trimble, the Commissioner of Police for Ontario directed that Constable Keays, because of his knowledge of the Criminal Code and of District No. 8 (Belleville), should be placed in the radio room as a despatcher. This was forthwith done. On July 2nd, 1948, the Commissioner of Police for Ontario was present at the official opening of the radio communication system of District No. 8 (Belleville). On that occasion, Inspector Page advised Commissioner Stringer that Constable Keays would like to see the Commissioner in his office after the termination of the opening proceedings. Accompanied by Inspector Thomas H. Trimble, the Commissioner of Police for Ontario went to the office of Inspector Page to interview Constable Keays. Commissioner Stringer said to Constable Keays, "I understand you would like to speak to me, Constable Keays."



Constable Keays said, "Yes, I would." Commissioner Stringer: "What is it in connection with?" Constable Keays said, "I am a discredited officer, I am not permitted to drive cars, I am in that radio room, I don't like the work and I want to do something else." The Commissioner then said to him, "You are doing very good work in this radio room, a short time ago you set up a road block in Prince Edward County which resulted in the capture of several bandits and I would like you to continue in that work and co-operate with us as I know you have abilities along that line." Constable Keays said, "I don't like this work." The Commissioner of Provincial Police then inquired if Constable Keays had anything further to say, and Constable Keays replied, "No, nothing else, but I still don't like this work and I want to be moved out." The Commissioner then pointed out to Constable Keays that he must obey lawful orders; that others were doing the same thing and were not complaining. The Commissioner said, "If you cannot obey our lawful orders I am suggesting that you resign from this Force." At this time, according to Commissioner Stringer, Constable Keays changed his voice into a loud tone and said, "There is going to be an explosion around here. There is a letter going to Mr. Oliver about this case." The Commissioner of Police said, "Please clarify what you are talking about." Constable Keays said, "You will hear about it later", and went out of the room. Then, on November 3rd, Commissioner Stringer received a copy of Exhibit 1 from the Deputy Commissioner. The copy received by the Commissioner bore an annotation indicating that a copy had been sent to the Department of the Attorney-General.



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The evidence establishes conclusively, and I find as a fact, that William H. Stringer, the Commissioner of Provincial Police, is a most upright, honest and efficient executive; that he, the Commissioner, for a period of years supported and defended Constable Keays, whom he regarded as a police officer of exceptional promise and for whose ability and capacity he, the Commissioner, had much respect.

I further find as a fact that throughout the entire service of Constable J. E. Keays with the Provincial Police, Constable Keays was shown the greatest kindness and given the utmost consideration by Commissioner W. H. Stringer. The Commissioner exemplified not only intimate concern but tender solicitude for the welfare of this Constable. I further find that, until destroyed by the conduct of Constable Keays, Commissioner Stringer had unbounded confidence in his ability and capacity, and that the Commissioner supported and defended Constable Keays until defence was hopeless and confidence unsupportable. I find as a fact that the allegations in Exhibit 1 to the effect that Commissioner W. H. Stringer made false representations to the Honourable the Attorney-General for Ontario are wholly without foundation in fact. And I further find that the charge that Commissioner W. H. Stringer suppressed evidence in the Dent murder inquiry, or any aspect thereof, has been in no way established and on the evidence is entirely and completely negatived and disproven.



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Concerning the Murder of Provincial Constable H. H. Dent,

June 20th, 1940, Sergeant J. A. Stringer, and John Maki:

On June 20th, 1940, Provincial Constable H. H. Dent, of Rockland, was shot and killed at Navan Station by a foreigner, whose suspicious actions Constable Dent was investigating. A short time later, during flight, this assailant, who was later identified as John Maki (a Finlander, of Montreal), was shot and killed by Acting Sergeant J. A. Stringer who had pursued the murderer and overtook him in a wood a mile or a mile and a half distant from Navan Station. Sergeant Stringer, who was stationed at Timmins, Ontario, and spending his annual leave at Navan, had responded to a general alarm sent out following the shooting of Constable Dent. Sergeant Stringer hurried to Navan Station and found Constable Dent lying on the floor of that building, conscious and composed, but mortally wounded and in the agony of approaching death. Constable Dent gave Sergeant Stringer a general description of his assailant, and gave Stringer his revolver and told Sergeant Stringer that he would find a box of ammunition in his, Dent's, motor car nearby. Sergeant Stringer, having secured Dent's revolver and ammunition, pursued Dent's assailant across a field and into an adjacent bush. The assailant, Maki, was armed with a .45 calibre Colt automatic pistol, and fired at least three shots at Sergeant Stringer. He, Stringer, was able to follow the course taken by the assailant Maki by the disturbed dew on the vegetation and leaves of the underbrush. Sergeant Stringer, with marked coolness, courage and determination, stalked the assailant Maki and located him standing on a log looking in the general direction of Stringer's location. At this time, a shot was fired in



the direction of Sergeant Stringer by the assailant Maki. Stringer dropped and remained motionless for a time, meanwhile keeping his eye on the assailant Maki who was peering in the general direction of where he had seen Stringer. Sergeant Stringer shouted to Maki, at which time Maki raised his right arm as if about to fire. Sergeant Stringer, taking careful aim, fired and shot Maki through the head. At that instant, Maki's pistol was also fired. Some further shots were fired by Sergeant Stringer in the general direction of Maki's location.

Following the shooting of Constable Dent, in answer to the general alarm to all police forces within the vicinity of Navan, a group of constables hurried to that locality from Ottawa. Among these constables was Provincial Constable J. E. Keays (or P.C. Soubliere, as he then was). With Constable Keays was detective Stoneman, of the Ottawa City Police, who was in plain clothing. Detective Stoneman and one George Sidney Smith, a local farmer at Navan, proceeded into the bush toward where Sergeant Stringer and the desperado were supposed to be. Constable Keays, who was in uniform and armed, remained at or near the roadside. Neither Detective Stoneman nor Smith were armed. Detective Stoneman and Smith came to the place where Sergeant Stringer was keeping watch, near where the assailant Maki had dropped. Stoneman and Stringer then moved forward, finding that Sergeant Stringer's shot had passed through Maki's head killing him instantly. After a short investigation at the scene of the shooting, Smith returned to the place where he had left Constable Keays (Soubliere) and told Keays, "Come on in. Everything is all right. The man is dead." Further investigations were made, and subsequently, on the 9th day of July, 1940, a coroner's jury returned a verdict as follows:-



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VERDICT OF JURY IN DENT MURDER AS TAKEN FROM PROV.

CONST. SOUBLIERE'S REPORT DATED JULY 17TH. 1940.

"We the jury find that Provincial Constable H. Dent, Rockland, was murdered in the Navan Railway Station on June 20th. by John Miki, 52 year old Finn, and that the shooting of Miki an hour later, in a nearby bush, by Sergeant J. A. Stringer was justifiable homicide. Further that the death of Constable Dent was due to internal hemorrhage caused by two bullet wounds in the abdomen, and the death of Miki was a result of one shot being fired through the head."

Constable J. E. Keays, in his letter of resignation (Exhibit 1) paragraphs 60, 61 and 62, says as follows:-

"60. Unless the Commissioner is of the opinion that I caused dissension while stationed at Ottawa, by the fact that, during the course of an investigation of which I was in charge, a Provincial Constable shot and killed a man, and as the result of false statements which he released to the press and submitted to the authorities, he subsequently had to repeat these statements before a Jury in order to protect his actions, and placed me in a very precarious position.

61. After placing the facts before His Honour Judge C. W. A. MARION, the Crown Attorney, and the District Inspector, I gave notice before them that if I was



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expected to commit perjury before a Jury in order to cover up the officer involved, I would turn in my uniform.

62. The District Inspector communicated with the Commissioner who directed that my evidence be subdued, and, as a result, another officer had to take my place in order to produce certain exhibits in my possession. In the witness stand, this officer was asked the same questions I anticipated. The Jury was deprived of certain evidence, and, the officer involved was promoted. It will be noted that 2 weeks later the District Inspector apologized to me for his attitude in connection with this investigation."

The charges made by Constable J. E. Keays referable to Sergeant Stringer and the H. H. Dent murder case, as set forth in Exhibit 1, justly deserve unqualified condemnation. The intrepidity, courage, resourcefulness and sound judgment of Sergeant Stringer was highly commendable and fully warranted the distinction later awarded him for outstanding merit in this daring enterprise. The allegations of Constable Keays are completely unsupported by reliable evidence — indeed they have been affirmatively disproved in their entirety.

Concerning the Incident of LeRoy Woods:

About 7.20 P.M. Tuesday, November 4th, 1947, Provincial Constable Keays received a telephone call from one, Mr. Bruce Pine, alleging that Pine had observed an automobile



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being driven by a person unknown, north on Number 14 Highway about three miles north of Belleville, in a manner which indicated that the driver might be intoxicated. Provincial Constable Keays, accompanied by Provincial Constable G. R. Purdy, set out in a police car to investigate the complaint. The car referred to by Pine in his complaint to Keays was found just off the highway in a gateway to the farm of one, O. C. Chisholm. It was learned that one LeRoy Woods, owned the vehicle in question and was its driver at the time that Bruce Pine referred to in his complaint.

LeRoy Woods was placed under arrest by Constable Keays and taken to Belleville and placed in the city police cells. On November 5th, he was charged with having the care or control of an automobile whilst intoxicated, under the provisions of section 285 (4) of the Criminal Code, and that morning was released on bail. On November 6th, a further charge of dangerous driving under section 285 (6) of the Criminal Code was laid against Woods.

About two weeks later, Commissioner W. H. Stringer of the Ontario Provincial Police, passed through Belleville and stopped at District Headquarters there. Sergeant Ervine F. Hartleib, temporarily in charge of the district, informed Commissioner Stringer that there was apparently political interference by one, Colonel Vandewater, in connection with the prosecution of the Woods Case. Sergeant Hartleib was simply retailing to Commissioner Stringer allegations made by Constable Keays to Sergeant Hartleib. As a result of the allegations made by Constable Keays through Sergeant Hartleib, Commissioner Stringer immediately detailed Staff Inspector E. T. Doyle to proceed to Belleville for the purpose of making an



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investigation into the alleged interference, whose report dated November 28th, 1947, is made Exhibit 156 in this inquiry.

The LeRoy Woods case came to trial before Magistrate T. Y. Wills in December 1947, and his written judgment was given on January 29th, 1948. In his judgment he acquitted Woods of the charge under section 285 (4) of the Criminal Code and convicted Woods under section 285 (6) of the Criminal Code.

In January of 1948, Provincial Constable Keays made further allegations with respect to the LeRoy Woods case. These allegations are contained in a letter address^{ed} to Staff Inspector E. T. Doyle and, without going into detail, Constable Keays alleges that the Crown Attorney, B. C. Donnan, misconducted the case by failing to call witnesses who could give relevant evidence and by issuing instructions that both charges against LeRoy Woods be withdrawn.

Constable Keays also alleges that Constable G. R. Purdy submitted false reports in connection with the LeRoy Woods case, and that Provincial Constable S. Ervine committed perjury at the hearing of the LeRoy Woods case. It is admitted by Constable Purdy that he altered in a material aspect his report of this case required by the Department of Highways in connection with motor accidents. This alteration was based on subsequent information after fuller inquiry, and was made for the express purpose of making the said report conform to the facts. Constable Keays further charged that Provincial Constable Sam Ervine falsified his diary to support his alleged perjury at the hearing before Magistrate Wills.

The Commissioner of Police for Ontario, William H. Stringer, ordered Staff Inspector A. Moss to make a thorough and searching investigation into the allegations of Constable Keays. This investigation was completed on January 30th, 1948 (Exhibit 163 in this inquiry). Staff Inspector Moss was unable to find any evidence sufficient to substantiate the allegations of Constable Keays.



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I find as a fact that pursuant to fuller information received by Constable Purdy, he did make a material alteration in his report to the Provincial Department of Highways. I find further as a fact that this was done through inability on the part of Constable Purdy to measure and comprehend the probable consequences of such conduct. The responsibility for such lack of accurate information on the part of junior constables must rest on the officers and non-commissioned officers of the district concerned. It is abundantly clear from the evidence, and all the surrounding circumstances that Constable Purdy neither appreciated nor intended any wrongdoing, much less deception, by this irregular and, ordinarily indefensible, conduct. The charges of perjury and falsification of documents (diary) made by Constable Keays against Constable Sam Ervine have been in no way established in evidence and completely fail by way of proof.

Concerning the Gerald Holdenbeck Incident:

This was a matter in which one, Gerald Holdenbeck, driver of a Rathbun bus operating between Trenton and Belleville, was involved in an accident on Number 2 Highway, near the Ontario School for the Deaf, about one-half mile west of Belleville, on Thursday, August 7th, 1947, at approximately 12.55 A.M. Holdenbeck apparently was driving the bus with a defective lighting system. He ran into and injured one James Tweedy, a young man of about twenty years of age, who, as a result of such injuries, died shortly after arrival at the hospital.

Shortly after the accident, Provincial Constable Keays appeared and started an investigation. Provincial Constable Driscoll also appeared on the scene and was told by Constable Keays that his services were not needed as he, Keays, with Provincial Constable Gagne, would conduct the investigation. Constable Keays, in paragraph 33 of Exhibit 1, alleges that Provincial Constable



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Driscoll made a false accusation against Keays by stating that he, Keays, was drunk at the scene of the investigation into the Holdenbeck accident, and as a result of that accusation, Crown Attorney B.C. Donnan withdrew the information against Holdenbeck, wherein Holdenbeck was charged with dangerous driving under section 285 (6) of the Criminal Code.

Crown Attorney B.C. Donnan, in his evidence, indicates that he was in some doubt as to the proper charge to be laid in connection with the Holdenbeck case. The Crown Attorney corresponded with the officials of the Attorney-General's Department as to the proper charge to be laid and, after some delay, it was decided that a charge should be proceeded with as a summary conviction matter under section 285 (6) of the Criminal Code. A good deal of time had elapsed, and when the charge was finally laid, the six months' limitation period provided by the Code for summary conviction matters had elapsed and it was impossible to proceed with the charge. On the hearing before Magistrate T. Y. Wills, the defence counsel raised as a defence the statute of limitations with respect to summary conviction matters, and as a result Crown Attorney Donnan withdrew the charge on the suggestion of the Magistrate rather than have it dismissed in the event that it was later decided to proceed by way of indictment.

There was no evidence presented on this inquiry sufficient to warrant a finding that Constable Driscoll reported that Constable Keays was under the influence of liquor at the scene of the investigation into the Holdenbeck incident, or on any other occasion.

Concerning Nathan Ledgin and Sam Apple:

Constable Keays' allegations with respect to this matter are contained in paragraph 33 of Exhibit 1, as follows:-

"It is evident that Prov. Const. DRISCOLL has acquired a tendency to be treacherous with police matters as verified by the fact that in 1944, he submitted a false report in an investigation, and had a junior R.C.M.P. member submit a false report to his H.Q. in order to cover up his (DRISCOLL) actions which resulted in a municipality



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losing a \$500.00 fine, and 2 R.C.M.P. members transferred from the Belleville area. The municipality involved demanded the transcription of Prov. Const. DRISCOLL's evidence, obtained an affidavit from one witness, and would have taken action if they had had my evidence to substantiate their findings. The matter was referred to the District Inspector."

On November 1st, 1944, Provincial Constable J.B.Driscoll, assisted by Constable Morris Kennedy of the R.C.M.P., seized a Ford coupe in the City of Belleville, containing a quantity of Quebec liquor. Nathan Ledgin and Sam Apple were charged under The Liquor Control Act, and Ledgin was, on November 2nd, convicted and fined Five Hundred Dollars and costs and the liquor and vehicle confiscated. The charge against Apple was withdrawn.

Normally, in a seizure of this kind, made in a municipality which has its own police department, the case would have been handed over to the municipal police to prosecute, but in this case, on the instructions of the then District Inspect H. Storey (since deceased) the Provincial Police carried the case to its conclusion. On November 2nd, Ledgin was fined Five Hundred Dollars and costs and the liquor and car confiscated, and the charge against Apple was withdrawn. The fine thus went to the Provincial Government. It was a matter over which Constable Driscoll had no control, as he was only a Constable and subject to the instructions of his superior officers.

Irrespective of the specific claims made by the Provincial Government and the municipality referable to the proceeds of this Five Hundred Dollar fine, which in no way comes within the purview of this inquiry, I can find no evidence, direct or by way of inference, sufficient to support the charges made by Constable Keays in paragraph 33 of Exhibit 1, and I find such charges completely unsupported by evidence.

There are several other allegations or charges in Exhibit 1, including the Badgley case, with which it is unnecessary specifically to deal. Suffice it is to say that they have no foundation in the evidence accepted by me, and are wholly and completely without justification or merit.



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I am of the opinion that it is both expedient and desirable to make a careful appreciation of the attributes and limitations of Constable J. E. Keays referable to capacity, integrity, capability, loyalty, and his ability and desire to co-operate with other members of the Ontario Provincial Police in the performance of their individual and conjoint duties.

Capacity:

The capacity of Constable J. E. Keays by way of intellectual endowment, mental equipment and qualifications as to industry, willingness, devotion to duty and zeal in the performance of police duty, is abundantly apparent and recognized and freely admitted by his superiors and associates.

Integrity:

In the realm of public or private endeavour, integrity is a necessary quality but especially so in the sphere of action assigned to police activities. In Constable J. E. Keays this "condition precedent" to effective police work is, in my opinion, open to grave question. Integrity in a police officer is lacking, if, when arriving at conclusions, the entirety of the facts is not taken into consideration unhindered by any extraneous or subjective consideration.

Capability:

Outstanding, especially when referable to resourcefulness, pertinacity and application. He is bilingual, has an accurate knowledge of the nicety of distinction in language, and subject to certain limitations expressly hereinafter mentioned, writes a highly intelligent and well-considered report.

Reliability:

Here the evidence discloses that Constable J. E. Keays is not on all occasions trustworthy. A careful review



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of all the evidence directs me unhesitatingly to the conclusion that where his interest, as conceived by him, comes into conflict with his duty, the latter is likely to suffer.

Loyalty and Co-operation:

Whether due to excessive zeal or mis-directed energy, or a combination of the two, there is clearly a tendency to attribute improper and ulterior motives to those with whom he does not agree. This unfortunate characteristic greatly limits his usefulness, stimulates friction and irritation and jeopardizes the efficiency and general well-being of the force. His ambition to achieve distinction and his desire to control the direction of any investigation in which he is associated with others, drastically impairs his capacity and usefulness for effective co-operation with other members of the force.

I am not unaware of the gravity of certain aspects of my findings but in support thereof I call an array of admissions by Constable J. E. Keays which is formidable and damaging evidence. This circumstance, reinforced by evidence adverse to the sworn testimony of Constable Keays, confirms beyond rational peradventure the irresistible conclusions hereinbefore written. Amongst other matters in evidence I note —

- (a) The admission by Constable J. E. Keays that with deliberation he breached the sworn oath of secrecy (page 1301 of the transcription of evidence):-

"Oath of Office and Secrecy

"I, John Ernie KEAYS do swear that I will faithfully discharge my duties as a civil servant and except as I may be legally authorized or required I will



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not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my being a civil servant. So help me God.

"SWORN before me at the)
city of Niagara Falls, Ont.)
in the County of Welland)
this 1st day of April 1948)

' J. E. Keays'

'F. F. Forestell'

"CROWN ATTORNEY WELLAND"

Q. The date?

A. 1st day of April.

Q. 1948?

A. 1948.

Q. Before or after your interview with the two representatives in Toronto?

A. Before.

Q. May I take it from your manner of reading that you were guilty of any breach of this document in communicating with these two officials of the Toronto Daily Star?

A. Well ---

Q. You have decided that you breached that oath of allegiance and oath of secrecy to which you swore?

A. I did most definitely.

Q. Is that a valid oath before Mr. Forestell?

A. It is, sir.

Q. Within two months after swearing it, or three months, you deliberately breached it?

A. 'Deliberately' is the right word."



- (b) The sworn evidence of Constable Keays that he did not go to the newspaper press.
- (c) The evidence of Constable Keays under oath that George Smith was not called as a witness at the inquest into the shooting of Police Constable H. H. Dent on July 9th, 1940. Admittedly George Smith was called as a witness and gave evidence at this inquest.
- (d) The sworn testimony of Constable Keays that he broke a branch or twig and passed it through Maki's head immediately after the shooting of Maki by Sergeant Stringer.

INTEGRITY OF UNIFORM

On many occasions Constable J. E. Keays referred to the integrity of the uniform and the justification of his conduct in its defence. It is but a truism and in all probability recognized by anyone with an intellect as acute as Constable Keays that the prestige and dignity of the uniform is in no way more seriously jeopardized than by disloyalty to those who have been placed in authority by His Majesty in the right of a duly constituted Government.

The ability in the realm of police activities and the capacity for effective investigation, vigilance and resourcefulness of Constable Keays is exemplified, even demonstrated, by ten commendations awarded him by District Inspectors in almost every theatre in which he served. A list of such commendations appears as appendix 2 to this Report.

Notwithstanding the capability and general capacity of Constable J. E. Keays, I am bound to the conclusion that his services cannot, in the interest of the Provincial Police Force for Ontario, be retained. The charges and allegations of



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wrong-doing, prejury, deceit, inefficiency, impartiality and incapacity against public officials and police officers so emphatically made, urged and confidently reiterated by this police officer, remain wholly unsupported and completely without vindication, justification, mitigation or excuse.

Your Commissioner therefore recommends that for cause, the services of John Ernest Keays in the Provincial Police Force for Ontario should be forthwith terminated. In view of his past service, it is further recommended that all moneys paid by him towards a pension or retirement fund, should, with accrued interest, be repaid to him.

Inspector W. A. Page:

I am respectfully of opinion that this officer's period of effective usefulness to the service of the Provincial Police is over. He has to his credit years of efficient service, but at the present time he has marked physical limitations and incapacities. Your Commissioner submits and recommends that in the interests of the service Inspector Page should be retired on pension.

Sergeant E. F. Hartleib:

Your Commissioner further respectfully recommends that Sergeant E. F. Hartleib after long and efficient service should, in the interests of the service, be retired on pension.

Finally, I am of opinion and it is respectfully submitted and recommended that there should be a complete reorganization of personnel at the headquarters of District No. 8. This submission and recommendation is premised on the basis that antagonisms, prejudices, misdirected impulses and inflamed passions, which have arisen prior to and during



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this inquiry, would be in all probability, by such a reorganization, rendered less pronounced, if not entirely avoided.

Respectfully submitted,

A handwritten signature in cursive ink that reads "J. P. MacEachern".

OSGOODE HALL, TORONTO,
July 11th, 1949.

Appendix "A"

COPY FOR THE ATTENTION OF THE
HON. LESLIE BLACKWELL
ATTORNEY-GENERAL FOR ONTARIO.

No. 9. District Belleville, Ontario.



ONTARIO PROVINCIAL POLICE

Belleville Detachment.

October 30th, 1948.

R e p o r t .

re:

RESIGNATION OF PROVINCIAL CONSTABLE J.E. KEAYS #549.

1st. & The Commissioner,
final Report. Ontario Provincial Police,
Toronto, Ontario.

D.H.Q. File
Detachment
File

Staff
Personal

Sir,

1. In connection with the marginally noted subject, I have the honour to report that in August, 1945, as the result of a complaint registered at the Commissioner's office by Dr. R. T. NOBLE, Registrar, College of Physicians and Surgeons, Toronto, I was instructed to investigate the actions of Ernest M. CAREFOOT, Belleville, a charlatan, who had victimized the public to the extent of thousands of dollars as the result of administering a substance or method of treatment held out as a guaranteed cure for cancer.
2. Knowing that B.C. DONNAN, K.C., Crown Attorney, was implicated in a fraud on the general public with CAREFOOT, and that he was taking patients to CAREFOOT for treatment well knowing that he was a disqualified medical practitioner, further, that he was making use of narcotics, (Mr. DONNAN tried to implicate me with CAREFOOT during the Fall of 1944) I requested that the investigation be turned over to an officer from the C.I.B.
3. I was directed to carry out the investigation and be guided by the Crown's instructions. After making certain enquiries I interviewed the Crown Attorney who instructed me to discontinue the investigation and turn the matter over to a junior member of the Belleville Detachment with the result that in September, 1945, on the instructions of District Inspector H. THOMPSON, I submitted a report under the signature of Prov. Const. E. BOWEN, and, at the direction of the Crown Attorney, the matter was referred back to the College of Physicians and Surgeons for their investigation.
4. On numerous occasions during October and November, 1945, Mr. DONNAN enquired if I had received further instructions in connection with CAREFOOT, and December 10th., 1945, the day the Commissioner inspected D.H.Q., Mr. DONNAN enquired as to the purpose of the Commissioner's visit - if he had mentioned the CAREFOOT case, and, if I thought that he was in Belleville in connection with the CAREFOOT matter. At that time Mr. DONNAN informed me that he was not taking "any more chances" - he had communicated with CAREFOOT "at noon" and advised him to "smash up" the electrical machines with which he was treating patients allegedly suffering from cancer and other diseases.
5. (this was substantiated Tuesday, March 19th./46, when CAREFOOT's premises were searched - 5 of these alleged "radio machines" were found "smashed up" in the cellar, with the broken wooden frames under a wood pile near the furnace- This was further substantiated in July, 1946, when one George BROWN was interviewed. Brown stated that

Appendix "A"

District Belleville, Ontario.



Belleville Detachment.

October 30th, 1948.

ONTARIO PROVINCIAL POLICE

REPORT.

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1st. &

final Report.

D.H.Q. File

Detachment File

Staff
Personal

5. he was treated by CAREFOOT between December 1st. and 15th, 1945, after he (CAREFOOT) had diagnosed his ailment as that of cancer. During these treatments CAREFOOT told him that he was the "last" patient to be treated with the "radio" machines, as he had finally perfected a liquid formula which was far superior than the "radio" machines; further, during the course of the investigation, every person interviewed - who was attended by CAREFOOT between December 1945 and March 1946 - was treated with liquids and no machine of any kind was used.)
6. Thursday, March 14th, 1946, I was instructed to continue this investigation with Inspector G. MONAHAN, College of Physicians and Surgeons, Toronto, with the result that Tuesday, March 19th, 1946, as sufficient evidence was obtained to warrant charges of fraud against CAREFOOT, the facts were placed before Mr. DONNAN who explained that he could not prosecute the case as CAREFOOT was a client of his in civil practice, and turned the matter over to Mr. G. ROBERTSON, Ass't to the Crown Attorney, after instructing that charges of obtaining money by false pretences be preferred against CAREFOOT. He also directed that anything connected with this case was to be referred to Mr. ROBERTSON for instructions.
7. At 12.30 p.m., Tuesday, March 19th./46, at the direction of Mr. ROBERTSON - in the event that Mr. DONNAN communicated with CAREFOOT - Prov. Const. G. SIPLE was placed on observation with instructions to follow anyone seen leaving CAREFOOT's residence with anything which might arouse his suspicion. On Mr. ROBERTSON's instructions, three charges of obtaining money (in excess of \$25.) by false pretences were preferred against CAREFOOT under Sec.405 C.C., and a warrant was issued for his arrest.
8. At 8.00 p.m., CAREFOOT was arrested at his residence.- Shortly after 8.30 p.m., when CAREFOOT was escorted to the Detachment office, Mrs. CAREFOOT communicated with Mr. DONNAN pointing out that CAREFOOT was arrested and escorted to the Provincial Police Office, and, enquired as to what she should do. About 20 minutes later, while executing the search warrant, I was advised by Prov. Const. C. ARMSTRONG that a Mr. ROBB, local lawyer, was at the Detachment office demanding the release of CAREFOOT as bail had been set at \$2,000.00.
9. At the Detachment office, on learning from the Justice of the Peace that Mr. DONNAN had instructed her to meet Mr. ROBB at the Provincial Police office and release the accused on \$2000. bail, I refused to release CAREFOOT. I communicated with Mr. DONNAN and informed him that wehad received certain instructions from Mr. ROBERTSON (Mr. DONNAN was against the search of

Appendix "A"

District Belleville, Ontario.



Belleville Detachment.

October 30th, 1948.

ONTARIO PROVINCIAL POLICE

REPORT.

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- 1st. & 9. CAREFOOT's premises). CAREFOOT had only been detained 30 minutes, and I had not as yet had the opportunity of questioning CAREFOOT in connection with any of the charges or the articles which were going to be seized from his premises. At this stage it was obvious that Mr. DONNAN did not want me to question CAREFOOT for personal reasons.
final report.
- D.H.Q. File
- Detachment File
- Staff Personal.
10. At 11.30 p.m., as Mr. DONNAN had deprived the Crown of the opportunity of questioning the accused, and knowing that CAREFOOT was represented by counsel, I decided not to question the accused in connection with any of the articles seized, including the morphine and opium, and, CAREFOOT was released on whatever arrangements Mr. DONNAN made with Mr. ROBB, defence counsel. (in this connection, reference can be made to the evidence where Magistrate T.Y.WILLS points out to A. SLAGHT, K.C., "I did not know that CAREFOOT was granted bail until 3 days after his arrest".) (In connection with the narcotics, it will be noted that at 1.00 p.m. that date, I requested the assistance of the R.C.M.P. in the search of CAREFOOT's premises.)
11. From certain documents seized from CAREFOOT's residence, along with correspondence from the Federal Authorities, it was evident that Mr. DONNAN was definitely implicated in a fraud on the general public with CAREFOOT between the years 1936 and 1945, and, would substantiate the fact that Mr. DONNAN released CAREFOOT and deprived the Crown of the opportunity to question the accused for personal reasons.
12. In view of the above, Wednesday, March 20th./46, I requested to be paraded before the Commissioner with the result that Thursday, March 21st., the above mentioned facts were placed before the Commissioner at Toronto, and, I again requested that the investigation be turned over to an officer from the C.I.B. The Commissioner discussed the matter with a member of the Attorney-General's Department. I was directed to continue the investigation, and, "let the chips fall where they may" - with the assurance that I would be protected from any trouble with Mr. DONNAN, as the result of this investigation.
13. At 2.30 p.m., Saturday, March 23rd, 1946, in the presence of witness, I was threatened by Mr. DONNAN that should I give certain evidence which would implicate him with the accused, I might be charged with accessory to the fact, and, later threatened that he would get me if it was the last thing he ever did. This was followed by a letter to W.B.COMMON, K.C., in which Mr. DONNAN criticized me most unjustly. In May, 1946, certain documents (in connection with this case) disappeared from Mr. ROBERTSON's file, and, from then on, I was instructed to forward all correspondence direct to the Attorney-General's Department.

District Belleville, Ontario



Belleville Detachment.

October 30th, 1948.

ONTARIO PROVINCIAL POLICE

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- lst. & final report. 14. Pursuant to instructions of March 21st., Sunday, March 24th., I submitted a confidential report in connection with the actions of Mr. DONNAN, and, the reason why I was not assisted by the R.C.M.P. in connection with the narcotics. In this report, I requested certain instructions, and also requested that certain enquiries be conducted outside the City of Belleville. To date, my report has not been acknowledged.
- Detachment File 15. In view of the actions of the Crown Attorney, and the fact that I was not assisted by the R.C.M.P. on the night of the search, CAREFOOT had to be re-arrested in June, 1946, charged under the Narcotic and Drug Act. CAREFOOT was prosecuted on one charge of fraud (the other 2 charges were adjourned Sine Die) and one charge under the Narcotic and Drug Act. The court and the Jury were deprived of the above mentioned facts and both charges were dismissed.
- Staff Personal. 16. Both trials supplied good entertainment to the public and the Jury at the expense of the uniform and the medical Profession who were represented by some of their highest authorities; further, while under cross-examination by A. SLAGHT, K.C., I found myself in a precarious position in order to answer certain question without implicating Mr. DONNAN.
17. From then on, Mr. DONNAN tried to carry out his threats against me and interfered with practically every case I investigated, to the point where the District Inspector remarked several times to the officers at D.H.Q. "some of these days I'm going to go to Toronto and fix that so and so (Mr. DONNAN)". I paid no attention to the interference as I was satisfied that once a prisoner was before the Bar, I had discharged my duties as a police officer.
18. This carried on until the Spring of 1947, when Prov. Const. S. ERVINE (an officer stationed at Belleville for more than 15 years - who is nothing more than a rubber stamp, with no record whatever to offer as a police officer) started to interfere with investigations in order to serve his own purpose. This continued until September, 1947, when this officer suggested that I subdue my evidence on a charge of attempted murder, which was preferred on the instructions of C.L.SNIDER, K.C., Deputy Attorney-General, in order to assist his (Ervine) influential friend who was acting for the accused. The Crown Attorney did not want me to act as brief on this case and ordered me out of the court during the trial.
19. The evening of the same day Prov. Const. ERVINE pointed out to me that "I was a good cop but did not know how to play with the right guys" and, how he (Ervine) was a personal friend of District Inspector W.A.PAGE who in turn was the Commissioner's best friend; (this fact was later made known in public in the presence of about 150 people) further, that the Commissioner had attempted to transfer him from Belleville when he was paraded before him at Toronto in January, 1947, but that he did not have sufficient authority to get him transferred from Belleville.

Appendix "A"

District Belleville, Ontario.



Belleville Detachment.

October 30th, 1948.

ONTARIO PROVINCIAL POLICE

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- lst. & final report.
- D.H.Q. File
- Detachment File
- Staff Personal.
20. Shortly after, on 3 different occasions, I interviewed Inspector PAGE and requested that, in view of certain existing conditions, I be transferred to some other Detachment within the District before I found myself discredited as a police officer. Inspector PAGE refused, pointing out that he had recommended me for promotion to the C.I.B. Prov. Const. ERVINE continued to interfere with my investigations, and, November 18th., I submitted a report requesting a transfer from Belleville D.H.Q. to a Detachment within the District. This report was not acknowledged, but Inspector PAGE informed me that Chief Inspector A. WARD had recommended me for promotion to the C.I.B.
21. In November, 1947, Prov. Const. ERVINE interfered to the point where he had Mr. DONNAN issue instructions that 2 criminal charges be withdrawn against one LeRoy WOODS, (whom I arrested and was allowed his freedom on \$200.00 bail) and, Had Prov. Const. G.R.PURDY submit a false report to D.H.Q. in connection with this criminal investigation - again in order to assist his influential friend who was acting for the accused. This action was taken after I had refused to withdraw the charges at the request of the Crown Attorney.
22. (In this connection, it will be noted that sometime after I returned to Belleville (April 15th./48) Prov. Const. PURDY came to my home one evening, and stated that when he was questioned by S/Insp. T. DOYLE in connection with Prov. Const. ERVINE's actions regarding the WOODS case, he did not have the "courage" to admit that Prov. Const. ERVINE was responsible for the information to Mr. DONNAN that "I did not have any evidence to support the charges against WOODS" which resulted in the Crown issuing instructions that both charges be withdrawn, and, he submitted the false report accordingly.)
23. (Prov. Const. PURDY explained that, at the time, he was on "probation" and was of the opinion that if he accepted the responsibility himself he would keep out of trouble and would not jeopardise his chances for "permanency" (permanent appointment) and, submitted a report to the Commissioner according to his statement to S/Insp. DOYLE; further, that, as he had no experience at the time, he did not appreciate the seriousness of the situation, but, now he realized that he was part of a great injustice, and did not know what to do to rectify his mistake. He was advised that the only way the matter could be rectified was for him to put it in writing.)
24. Prov. Const. PURDY's false report was withdrawn from the mail at D.H.Q., and finding my status jeopardised to the extent that I was liable to civil action, I interviewed Mr. DONNAN and demanded that at least one charge be proceeded with. Both charges were enlarged from week to week, and December 19th., Prov. Const. ERVINE, although not summoned and who knew nothing of the case, was called as a Crown witness by Mr. DONNAN. Under cross-examination Prov. Const. ERVINE contradicted my evidence and deliberately committed perjury by submitting certain facts which he alleged occurred on #14 Highway. SEPTEMBER 28th. (3 months previous) in order to exonerate the accused. It was obvious that the answers to the numerous questions were known to defence counsel.

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ONTARIO PROVINCIAL POLICE

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- District Belleville, Ontario.
- 1st. & final report. 25. After court, as I was in charge of the Belleville Detachment, I checked Prov. Const. ERVINE's diary and found that on SEPTEMBER 28th., he was no where near No. 14 Highway, but, on checking his diary, one week later, it was found that Prov. Const. ERVINE had added the following entry to this diary date "#14 Highway to Foxboro". (patrolling). Following up this investigation, it was found that the facts alleged by Prov. Const. ERVINE to have occurred SEPTEMBER 28th. (3 smashed guide rail posts) did not occur until 2.00 a.m., NOVEMBER 1st. (Hallowe'en night) One Harold PHILLIPS was responsible for smashing these 3 guide rail posts and never reported the accident.
- D.H.Q. File 26. In view of para. 21, 24 and 25, at 10.00 a.m., December 29th., I reported the facts to Inspector PAGE and requested that Prov. Const. ERVINE be instructed to return in the witness box and rectify his evidence, as my credibility was questioned. Inspector PAGE stated that Prov. Const. ERVINE could not do that, and referred me to Mr. DONNAN. Instead of Inspector PAGE taking the necessary steps to check Prov. Const. ERVINE's diary, he recommended him for promotion - December, 1947. The same date, the facts were placed before Mr. DONNAN who admitted that Prov. Const. ERVINE had submitted the above mentioned evidence, but he could not do anything about it. It was pointed out to Mr. DONNAN that my credibility was questioned as the result of Prov. Const. ERVINE's false evidence, further, the court was entitled to all the evidence on this Criminal charge. In the meantime I was posted to Niagara Falls.
- Staff Personal. 27. I waited 10 days, and, after placing the facts before Senior Officers of this Force for advice, I submitted a detailed report and requested instructions. January 13th., I interviewed Inspector PAGE and enquired about my report pointing out that I had requested certain instructions. I was asked why I wanted instructions, and replied "in order to protect my self-respect". I was told "the hell with your G--D--- self-respect". (this was to be expected from an Inspector transferred to the Belleville District under a fog.) I enquired if it would be in order to remain in Belleville until the WOODS case was disposed of, and, was told to carry out instructions and report to Niagara Falls as directed.
28. This report was held at D.H.Q. when I left Belleville January 15th./48. If Inspector PAGE intended to enquire into Prov. Const. ERVINE's actions, he certainly could have requested the evidence December 29th., when I first reported to him, or, easier still, check with the Magistrate's notes which were eventually made part of his judgment. Instead, January 11th., he had Dorothy DOWDELL, D.H.Q. stenographer, type the court stenographer's notes (G. Sheppard) on the evidence. A most improper procedure, with the result that the transcription was not signed by the Magistrate. This girl, (for obvious reasons) during the past year and a half, has been allowed to issue instructions throughout the District, and, July 10th., 1948, was held up for ridicule in the slander sheet, HUSH, at the expense of the Force not to mention the reflection cast on the officers at this D.H.Q. who were not responsible.

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- lst. & final report. 29. January 16th., when I reported to Inspector C. AIREY at Niagara Falls, it was learned that he had already received a memorandum from Inspector PAGE pointing out that there was no use of granting me permission to return to Belleville for Monday, January 19th., to attend court in connection with the WOODS case, as he (Insp. PAGE) had discussed the whole case with the Crown Attorney who had instructed that I would not be required any further in this case. On the instructions of Inspector PAGE and Mr. DONNAN, the court was deprived of certain evidence on this criminal charge which could have been definitely submitted in rebuttal through the cross-examination of the accused and Malcolm SINE. (both men assisted PHILLIPS the night he smashed the 3 guide rail posts.) - Evidently to protect Prov. Const. ERVINE.
- D.H.Q. File
- Detachment File
- Staff Personal.
30. Documentary evidence was all that was required to prove, beyond any doubt, the charge against Prov. Const. ERVINE, but, to date my report has not been acknowledged, although I requested certain instructions; further, the special report submitted in connection with the WOODS case, and that of Harold PHILLIPS, was withheld from the Department of Highways with the result that PHILLIPS was not assessed with the costs of the damage to the 3 guide rail posts. Instead of Prov. Const. ERVINE being at least reprimanded for having committed perjury and falsifying official records, he was exonerated and promoted by the Commissioner. Prov. Const. PURDY was also exonerated, after submitting a false report to D.H.Q. on a criminal charge.
31. February, 1948, Cpl. ERVINE was instructed by the Commissioner that he was transferred to Cornwall, but, is still in Belleville, and made good his boast that even the Commissioner could not transfer him from Belleville. Since Prov. Const. ERVINE was promoted, he has attacked the character of a police officer at D.H.Q., as the result of a false accusation made to his Superior. In view of this officer's conduct, he is certainly not worthy of wearing the King's uniform, and, ~~and~~ it remains to be seen what he would do if he held the life of a man in his hand.
32. In view of the false statements and accusations made against me by Constables and Senior Officers of the Force, since I reported that Prov. Const. ERVINE had committed perjury on a criminal charge, I found myself discredited as a police officer, and my integrity jeopardized to the extent that I can never again appear as witness for the Crown without my evidence being discredited under cross-examination.
33. While I was stationed at Niagara Falls, it came to my attention that one of these false accusations was made by Prov. Const. J. B. DRISCOLL, Belleville. As the result of this false accusation, a criminal charge was withdrawn by Mr. DONNAN. This criminal charge was preferred on the instructions from C.L.SNIDER, K.C., Deputy Attorney-General, and involved a fatality. It is evident that Prov. Const. DRISCOLL has acquired a tendency to be treacherous with police matters as verified by the fact that in 1944,

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- 1st. & final report. 33. he submitted a false report in an investigation, and had a junior R.C.M.P. member submit a false report to his H.Q. in order to cover up his (DROSCOLL) actions which resulted in a municipality losing a \$500.00 fine, and 2 R.C.M.P. members transferred from the Belleville area. The municipality involved demanded the transcription of Prov. Const. DRISCOLL's evidence, obtained an affidavit from one witness, and would have taken action if they had had my evidence to substantiate their findings. The matter was referred to the District Inspector.
- D.H.Q. File
- Detachment File
- Staff Personal. 34. While at Niagara Falls, I was paraded before the Commissioner and pointed out that, as the result of certain false statements and accusations, I was discredited as a police officer. His only comment was that I need not bother about that - it was only jealousy.
35. Subsequently, (as the Federal Authorities had appealed the court's decision on the Narcotic charge in REX vs Carefoot) I learned that February 10th., 1948, Mr. Justice A. LEBEL had granted the appeal and ordered a new trial. It was obvious that at this trial the Jury would be faced with the evidence of a doctor and that of a discredited police officer.
36. In view of the above, as I had faithfully upheld the duties of a police officer, and finding my career jeopardized, and, in all fairness to my wife who is responsible for the few small accomplishments I have made and to my 5 children (2 in the Royal Canadian Airforce and 1 in the Navy) who were brought up and believe in the uniform and all that it represents, it was of paramount importance that I find some way to regain my integrity and status as a police officer.
37. April 13th., 1948, with the assistance of Inspector G. AIREY, a man worthy of his rank who stands behind and fights for his men without fear or favour, I was instructed by the Commissioner to return to Belleville for posting in that District. April 15th., when I reported to Belleville for duty, instead of being posted, I was issued written instructions by Inspector PAGE that I was to remain at District Headquarters where I would not be allowed to drive any Government equipment or take part in any investigation, and, I would not even be allowed to bring any of my equipment (finger print, camera and R.C.M.P. files) to the office. I later demanded the reason for this drastic measure, pointing out that these written instructions were ruining my career. I was told "you got your instructions".
38. I played solitaire at District Headquarters for 2 months, and, in June, as the result of certain representations made to the Commissioner by Inspector PAGE in May, I was dealt with more severely by being transferred to 24 hours shift work in the radio room. (known as the detention barrack) In this connection, reference can be made to Inspector PAGE's memorandum issued to all officers at District Headquarters ----If they can't take proper care of Government cars and equipment..."they will be taken off Government cars and placed in the radio room".

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- 1st. & final report. 39. July 2nd., 1948, I was paraded before the Commissioner and Inspector PAGE at D.H.Q., and, I requested a half hour of the Commissioner's time to place certain facts before him in order to regain my integrity, as CAREFOOT had been arrested by the Federal Authorities and I was served with a summons. (the preliminary hearing was set for July 22nd.) I was told that I was only "imagining" things and he did not want to hear me, and, threatened "if I could not handle my 'job' on the radio, he would have to request my resignation from the Force".
- D.H.Q.File
- Detachment File
- Staff Personal.
40. Thursday, July 8th, I was questioned by Mr.E.FOLLWELL, local Lawyer, representing the Federal Authorities in the CAREFOOT case, and asked if it was true that the authorities would not trust me to take part in any investigation or drive any Government equipment, pointing out that this was apparently common knowledge around Belleville. I replied that I had received certain written instructions to that effect. I was also asked if Mr. DONNAN had threatened me should I give certain evidence in the CAREFOOT case. I replied that he had, shortly after I had arrested CAREFOOT. He stated that he was going to report the matter to N. MATTHEWS, K.C., Toronto, who was representing the Crown in REX vs. Carefoot.
41. The same day, I learned that Mr. DONNAN had finally carried out his threats against me, as he was responsible for the written instructions issued to me by Inspector PAGE. - I cannot think of a better way that anyone can ruin the career of a police officer than by attacking his integrity and discrediting him.
42. Consequently, July 12th., I was instructed to report to W.B.COMMON, K.C., Senior Counsel for the Attorney-General Department. At 2.00 p.m., I reported to W.C.KILLING, Dty. Commissioner, (who is also our staff Representative) and endeavoured to point out the above mentioned facts in order to regain my integrity (I used the word "framed" in order to put across the seriousness of the situation) but he did not want to hear anything about it.
43. At 2.30 p.m., I appeared before W.B.COMMON, K.C., and the Commissioner, and, was questioned in connection with the actions of Mr. DONNAN in the CAREFOOT investigation. I repeated the above mentioned facts, and, submitted the false statements and accusations made against me - pointing out to Mr. COMMON that in 1940, in a highgrade ore case involving thousands of dollars which he prosecuted, my evidence, although contradictory to the evidence of 3 detectives 10 years my senior, was accepted after being subjected to 2 days cross-examination by defence counsel and convictions were registered, but, under my present circumstances my evidence would have been worthless. He admitted that he appreciated my position, but,"that wasn't his Department". I suggested that the persons responsible apologize in camera, in order to make it possible for me to reply to these false statements and accusations should I ever be faced with any of them under cross-examination during a trial - but without results.

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- 1st. & final report. 44. The brief in connection with the above mentioned case was prepared on July 21st., at which time N. MATTHEWS, K.C., questioned my status. I informed him that it was the same, and that nothing had been done about the written instructions or the false accusations. The following day CAREFOOT appeared before Magistrate T.Y. WILLS, and was committed for trial.
- D.H.Q.File Detachment File. 45. Pursuant to instructions, Wednesday, August 4th., I proceeded to Toronto and reported to Mr. COMMON in the presence of Mr. MATTHEWS, several persons representing the Federal Authorities, and, W.C.KILLING, Deputy-Commissioner. Mr. MATTHEWS pointed out that I was a very material witness in the CAREFOOT case, but, in view of certain written instructions issued by a District Inspector, and other conditions which apparently were brought about as the result of the CAREFOOT investigation, it was apparent, judging from the attitude adopted by defence counsel at the preliminary hearing, that, at the trial, my evidence would be discredited before a Jury, and, unless the matter could be rectified, he would much prefer to "gracefully withdraw at this stage" than proceed and run into difficulties.
- Staff Personal. 46. The Deputy Commissioner read a letter from my personal file which was allegedly forwarded by the Commissioner to Inspector PAGE in April, 1948, suggesting that, in view of my experience, I be posted to the Napanee Detachment for duty, countering the unprincipled instructions issued against me, and, instructing that I resume my former status. Mr. MATTHEWS enquired if I was aware of these instructions. I replied that this was the first I had heard about them; further, I had to borrow a car that day in order to comply with instructions to report to Toronto.
47. Mr. COMMON was of the opinion that the contents of the letter read by the Deputy Commissioner would answer any questions I might be asked in connection with the written instructions. I suggested that the court might rule out my answers as "hearsay evidence".
48. Mr. MATTHEWS also pointed out that should I be asked under cross-examination, why the R.C.M.P. did not assist in the search of CAREFOOT's premises, my reply would have to be "because both officers were under the influence of liquor at the time, and in no condition to carry out their duties". Mr. CURRAN, K.C., Senior counsel remarked that if I had reported the actions of the R.C.M.P. officers in 1946, it was unfortunate that the Department had not seen fit to report the matter to the proper authorities for investigation at that time. After this meeting, I found myself in the middle of an R.C.M.P. investigation for a matter that should have been investigated in 1946.

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49. At 3.00 p.m., that date, I reported to the Deputy Commissioner and again endeavoured to place the facts before him without results. When I informed the Deputy Commissioner, I was surprised to hear at this date that Inspector PAGE had sufficient authority to overrule instructions issued by the Commissioner since April, 1948. I was instructed to forget I had ever heard about this letter, that, in view of Mr. MATTHEWS' demand he was obliged to divulge its contents, but, it was strictly confidential, and, under no circumstances must I mention this letter.
50. What a contretemps - A few hours previous, Mr. COMMON was satisfied that I could use the contents of this letter, as "hearsay evidence", to answer any questions in connection with my written instructions, and, now I found myself instructed by the Deputy Commissioner that the matter was strictly confidential.
51. It was evident that this letter was more or less used to hoodwink the Federal Authorities, and proved to me that the Officials of the Force were condoning the unscrupulous actions taken by Inspector PAGE, not to mention the false statements and accusations made by officers of this Force, (persons in authority) against a confrere, which is one of the most serious offences under the disciplinary Code. Apparently the integrity of a police officer is of no importance.
52. I am not interested in the CAREFOOT case now that the accused is before the Bar. I was instructed to investigate, after requesting, on 2 different occasions, that the matter be turned over to an officer from the C.I. B., and carried out my duties as a police officer without fear or favour, and reported accordingly. I am not interested in the actions of the Crown Attorney, a well known confirmed drunkard, unless I am involved, (my actions since 1944, in this connection, speak for themselves) and, I am not interested in the administration of the Belleville District, unless it is a matter likely to bring discredit on the reputation of the Force; my duty is to report, and not question the powers-that-be as to what action should be taken. I am only interested in decency and the dignity of the uniform.
53. The fact that the actions of the Crown Attorney were condoned and he was allowed to carry out his threats, and, the fact that no disciplinary action was taken against Inspector PAGE, Prov. Const. ERVINE and PURDY, I find myself in a worse position than Igor GOUZENKO, who as a foreigner, was finally heard, but, as a decent Canadian citizen, who is only asking an opportunity to be heard in order to regain his integrity and status as a police officer, I am denied the right to a hearing, - Surely we have some dignity as a Police Force.

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54. Having made use of every channel possible, and, as I must take certain action to regain my integrity in order to pursue my career, I have no alternative but to tender my resignation in order to remain within the Code of a police officer and protect my Oath.
55. In conclusion, I would like to take this opportunity to reply to the false representations made against me by the Commissioner to the Hon. Leslie BLACKWELL, Attorney-General for Ontario, which, no doubt, resulted in the Attorney-General making threats against an officer of the Crown - "If I could not prove certain charges - I would be fired."
- 1) "that I had caused dissension during my service with the Force, especially while stationed at Ottawa."
56. In this connection, I would state that, during the four years I was in charge of the Belleville Detachment, I was the only Provincial Officer in the Province of Ontario with the rank of Constable, who, at the direction of the District Inspector and at the request of the various officers in charge of the numerous Detachments throughout #8 District, assisted every Detachment in a District in all major crimes - from rape to murders, also, every municipality, except Lindsay, and, as the result of good team work, convictions were registered in most cases.
57. It will be noted that, when I returned to Belleville, April 15th., 1948, the same requests were made to the District Inspector by Provincial and Chief Constables in and out of the District, but, at this time, their requests were refused and they were told that I was not allowed to take part in any investigation. I would also refer to the correspondence and comments of the Commissioner during these 4 years, in which he, as late as November, 1947, highly praised my work.
58. Between 1938 and 1941, while stationed in #9 District, on the instructions from the District Inspector, assisted the Alexandria, Cornwall, Hawkesbury, Morrisburg and Ottawa (Sgt i/c) Detachments on numerous occasions in connection with murders and series of crimes involving thousands of dollars - again, as the result of good team work, convictions were registered in all cases. In 1941, at the direction of C. L. SNIDER, K.C., Deputy Attorney-General, I was loaned to La Surete Municipale de Hull, Quebec, in preparing a brief (112 witnesses) in a murder charge - 2 men were convicted.
59. During my 12 years of service with the Force, I had the privilege of serving under the Command of 4 District Inspectors who saw fit to recommend me as follows:-

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- a) 1943 on the recommendation of Inspector T.W. COUSANS, I was placed in charge of the Liquor Squad in #9 District.
 - b) 1945, recommended for promotion by the late Inspector H. STOREY who, in 1946, communicated with me requesting my approval to his recommendation for transfer as an N.C.O. to the Kenora District, then under his command.
 - c) July, 1946, recommended for promotion by the late Inspector H. THOMPSON.
 - d) 1947, according to Inspector PAGE, he recommended me for promotion and November, / 1947, Chief Inspector A. WARD recommended me for promotion to the Criminal Investigation Branch.
60. Unless the Commissioner is of the opinion that I caused dissension while stationed at Ottawa, by the fact that, during the course of an investigation of which I was in charge, a Provincial Constable shot and killed a man, and as the result of false statements which he released to the press and submitted to the authorities, he subsequently had to repeat these statements before a Jury in order to protect his actions, and placed me in a very precarious position.
61. After placing the facts before His Honour Judge C.W.A. MARION, the Crown Attorney, and the District Inspector, I gave notice before them that if I was expected to commit perjury before a Jury in order to cover up the officer involved, I would turn in my uniform.
62. The District Inspector communicated with the Commissioner who directed that my evidence be subdued, and, as a result, another officer had to take my place in order to produce certain exhibits in my possession. In the witness stand, this officer was asked the same questions I anticipated. The Jury was deprived of certain evidence, and, the officer involved was promoted. It will be noted that 2 weeks later the District Inspector apologized to me for his attitude in connection with this investigation.
- Staff Personal 63. The only officers I ever had any differences with during my service are Prov. Const. T. H. TRIMBLE, my junior, when I was in charge of the Liquor Squad in #9 District, and, Prov. Const. S. ERVINE. (December, 1947). Both men have since been promoted by the Commissioner - Presumably on their merits.
64. 2) "I was placed in the radio room due to sickness, and was unable to perform any other duties". In this connection, I would refer to the comments made by the Commissioner to Inspector C. AIREY, March, 1948 "in view of this officer's record, I'll see what can be



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done to give him a Detachment in the Peterborough District and, would refer to the memorandums from the Commissioner under date of April 12th. and 20th., 1948, - in one, I was instructed to report to Belleville for posting in that District, and the other, suggesting that, in view of my experience, I be posted to the Napanee Detachment for duty. I would also refer to the comments of the Deputy Commissioner, February 18th., 1948 - that if Inspector PAGE was not stationed at Belleville --- "I know all about it -- I can't see any reason why you could not be posted back to Belleville - for 20 years we have been trying to build this force with men of your calibre - leave the matter in my hands and I'll see what I can do". The only thing I have to offer is health and self-respect.

65. 3) "certain reflections cast, on the fact that I changed my name".
I did change my name from SOUBLIERE to KEAYS (my wife's surname) at the request of one of my boys who was leaving for service in the Pacific with the Armed Forces, and, for reasons well known to the Commissioner as substantiated by his remarks, but, I did not know that there was a man who thought himself sufficiently important to question my rights as a Canadian - not to mention the Laws of the Province of Ontario, and, I most respectfully suggest that if I have committed any crime by making use of the provisions made under The Change of Name Act, 1939, the facts should be placed before the proper authorities with a view of having this Act removed from the Statutes of the Province of Ontario.
66. I am satisfied to leave my reputation as a police officer with the Judges of the Supreme Court of Canada and the Supreme Court of Ontario, County and District Judges, Magistrates, Crown Attorneys (including Mr. DONNAN, and I would refer to his letter of commendation forwarded to the Department in October, 1944, before the CAREFOOT case) the Members attached to the Attorney-General's Department and confreres with whom I have had the honour to come in contact with, during my career as a representative of the Crown, either in the submission of evidence, criminal investigations or extradition proceedings.
67. In view of the above, as a discredited police officer, it is obvious that the Federal Authorities would decidedly prefer to withdraw the charge in the matter of Rex vs. Carefoot.

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1st & final Report 68. I am proud to be a police officer, in my opinion the most ethical profession known, but for reasons set forth, and in order to pursue my career, I hereby tender my resignation from the Ontario Provincial Police effective November 15th, 1948. As I hold an honourable discharge from the Royal Canadian Mounted Police, and, as I have accumulated as many commendations as years of service with the Ontario Provincial Police, I would be grateful if the Commissioner would forward me a reference according to my merits.

Your obedient servant,

"J. E. KEAYS"

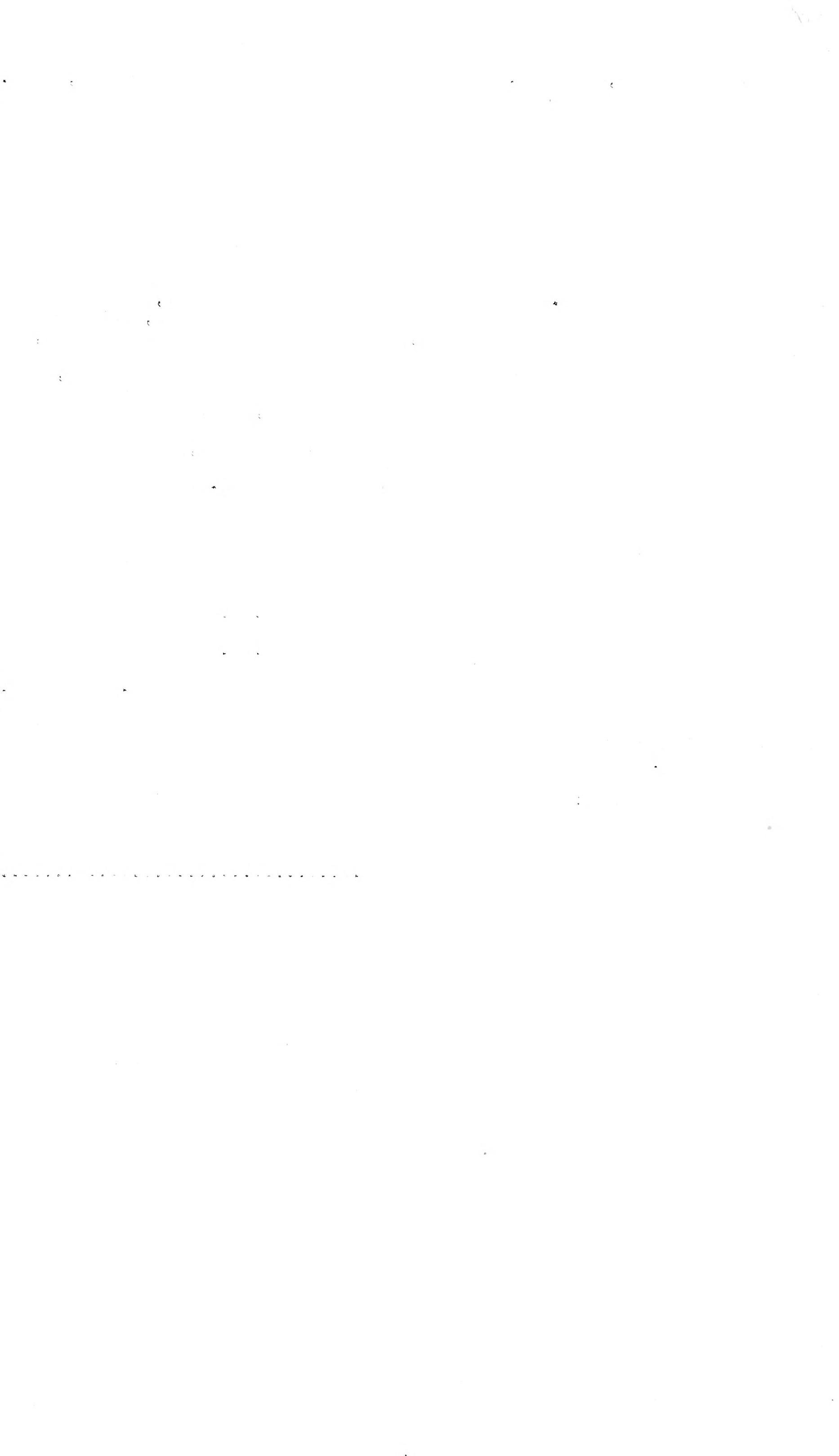
J. E. KEAYS

Prov. Constable.

THE Commissioner of Police for Ontario
Toronto, Ontario

FORWARDED:

.....
District Inspector.



APPENDIX "B"



C O M M E N D A T I O N S.

POLICE ORDER NO. 3, March 5, 1940.

Sergt. R. P. Labelle, Provincial Constables W. H. Kennedy,

G. Hughes and J. E. Soubliere, Ottawa Detachment.

Provincial Constable H. H. Dent, Rockland Detachment.

Provincial Constable A. R. Macleod, Cornwall Detachment, and

Provincial Constable R. H. Wannell, Hawkesbury Detachment.

In connection with the arrests of Roger Jolicoeur, Jean Charles Lalonde, Jean Charles Campeau @ Paquette, Yvon, Claude, Dalvida and Lionel Lalonde, Anatole Lauzon, Armand Montpetit and Anatole Lemary; on numerous charges of Breaking, Entering and Theft of merchandise and auto accessories from several garages and stores in the Provinces of Quebec and Ontario.

Jolicoeur, Campeau & Montpetit received sentences in the penitentiary; Lionel, Yvon & Jean Charles Lalonde, Lauzon and Lemary were committed to the Reformatory; Claude Lalonde to 2 months in the County Gaol and five charges against Dalvida Lalonde were dismissed.

(Recommended by District Inspector T. W. Cousans).

POLICE ORDER NO. 5, May 27, 1940.

Provincial Constables J. E. Soubliere and W. H. Kennedy,

Ottawa Detachment.

In connection with the arrests and conviction of Morris Henderson alias Maurice Boudreau, Ernest St. Louis and George Purcell @ George Dorkin on charges of Breaking & Entering & Theft of automobile.

On Saturday, May 18, 1940, the accused appeared before Magistrate A. H. Leiff at Ottawa and sentenced to lengthy terms in the Kingston Penitentiary.

(Recommended by District Inspector Cousans).



POLICE ORDER NO. 7, July 18, 1940.

Provincial Constable J. E. Soubliere, Ottawa Detachment.

In connection with the arrest of Lester Arbuckle of Westboro, Ont. on a charge of Rape, Sec. 299 C. Code.

On the 10th. June 1940 Lester Arbuckle appeared before Mr. Justice Chevrier at Ottawa and was sentenced to 10 years in the Kingston Penitentiary.

(Recommended by Dist. Insp. Cousans).

POLICE ORDER NO. 1, Feb. 12, 1942.

Sergt. R. P. Labelle, Ottawa Detachment and

Provincial Constable J. E. Soubliere, Rockland Detachment.

In connection with the arrests of German Doucett and Edmond Paquette, members of the R.C.A.F., Uplands Airport, Ottawa charged with the murder of Charles G. Walton of Ottawa, Ont.

The accused were tried separately in the Supreme Court, Hull, Quebec, during the month of January and both Doucett and Paquette were sentenced to 20 years imprisonment in the St. Vincent de Paul Penitentiary on 27 January 1942.

(Recommended by District Inspector T. W. Cousans)

POLICE ORDER NO. 2, March 23, 1942.

Provincial Constable J. E. Soubliere, Rockland Detachment.

In connection with the arrest and conviction of Gabriel Marcoux, Doland Laberge, and Geo. Henry Lefavre on charges of Breaking, Entering & Theft and escaping from custody.

Marcoux, Laberge & Lefavre were sentenced to 5 years in Kingston Penitentiary on the charge of Breaking Gaol Sec. 187 C. Code and to seven years in the same institution on the charges of Breaking, Entering & Theft.

(Recommended by District Inspector Cousans).



POLICE ORDER NO. 9, August 26, 1943.

Provincial Constable J. E. Soubliere, No. 9 D.H.Q. Perth and
Provincial Constable A. Macleod, Prescott Detachment.

In connection with the arrest and conviction of Carl Beamish of Jasper, Ont., on charges of Gross Indecency.

On July 6.1943 Beamish appeared before Magistrate G. A. Wright at Brockville and sentenced to 3 years in the Kingston Penitentiary with ten strokes of the strap. (Recommended by District Inspector T. W. Cousans).

POLICE ORDER NO. 7, August 8, 1944.

Provincial Constable J. E. Soubliere, No. 8 D.H.Q., Belleville.

In connection with the arrest of Raymond Wood, Stanley Archer, et al on numerous charges of Breaking, Entering & Theft at Belleville & vicinity.

As a result four of the accused were sentenced to lengthy terms in the penitentiary and others to various terms in the reformatory.

(Recommended by District Inspector H. Storey).

POLICE ORDER NO. 7, July 9, 1945.

Provincial Constables J.E. Keays, E. Bowen & G. Siple, #8 D.H.Q. Belleville.

In connection with the arrest and conviction of Sylvanus Hagerman on a charge of Arson in the Township of Rawdon, County of Hastings.

On June 7, 1945 Hagerman appeared before Magistrate T. Y. Wills at Belleville on this charge and sentenced to 3 years in Kingston Penitentiary.

(Recommended by District Inspector H. Thompson).



POLICE ORDER NO. 2, March 3, 1947.

Provincial Constable J. E. Keays, #8 D.H.Q., Belleville and
Provincial Constable S. W. Palmateer, Bancroft Detachment.
In connection with the arrest of Ralph Turner, George
Urbach, William and George Boyd, regarding indecent assault on
males at Coe Hill, Ont.

As a result Turner was sentenced to 2 years in Kingston
Penitentiary, Urback to 3 months in the County Gaol and William
& Geo. Boyd declared mentally unfit to stand trial.

(Recommended by District Inspector Page).

POLICE ORDER NO. 1, January 15, 1948.

Provincial Constables J.E. Keays and G.R. Purdy, #9 D.H.Q.
Belleville.

In connection with the arrest and conviction of James
Maitland @ Edward R. Page, West Vancouver, on charges of shop-
breaking, entering & theft, and escape from custody.

As a result Maitland was sentenced to six years in Kingston
Penitentiary.

(Recommended by District Inspector W. A. Page).

POLICE ORDER NO. 7, August 12, 1948.

Sergeant E. F. Hartleib, Corporal S. Ervine, Provincial
Constables H. A. Caldwell and J. E. Keays, #9 D.H.Q.
Belleville.

In connection with the arrest and conviction of Mickey
Metrunitz, Harry O'Laski, and Peter Carey on a charge of Break-
ing & Entering & Theft from Brewers Warehousing Co. at Picton
on April 26, 1948.

The accused appeared before His Honour Judge W. Lane at
Picton on the 10th June 1948 and Metrunitz sentenced to 4 years
in Kingston Penitentiary, O'Laski to 3 years in the same in-



stitution and Carey to one year definite and six months
indefinite in Guelph Reformatory.

(Recommended by District Inspector W. A. Page.)



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